

ENTERED

March 22, 2018

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

JERRY LENEZ BANGMON,
TDCJ #01568309,

Plaintiff,

VS.

HENRY LANCE, et al.,

Defendants.

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CIVIL ACTION NO. 3:17-CV-138

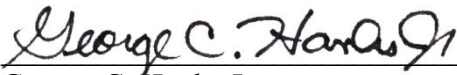
ORDER OF DISMISSAL

The plaintiff, Jerry Lenez Bangmon (TDCJ #01568309), filed a prisoner civil rights complaint under 42 U.S.C. § 1983, concerning a prison disciplinary proceeding. He included claims against Officer Henry Lance and Officer Shenika Kelly that were unrelated to the disciplinary proceeding. In an Order entered on January 22, 2018, the Court dismissed the complaint concerning the prison disciplinary case for failure to state a claim (Dkt. 19). Concluding that the claims against Officer Lance and Officer Kelly were improperly joined, the Court retained the claims against Officer Kelly and severed the claims against Officer Lance into a separate case. *See Bangmon v. Lance*, Civil No. 3-18-cv-0019 (S.D. Tex.). In doing so, the Court ordered Bangmon to pay the filing fee in each action within thirty days (Dkt. 19, p. 6). Bangmon has filed a response, indicating that he does not wish to proceed with his claims against Officer Kelly (Dkt. 21).

The Court construes Bangmon's response as a motion for voluntary dismissal under Rule 41(a) of the Federal Rules of Civil Procedure. That motion (Dkt. 21) is **GRANTED**. It is ORDERED that the claims against Officer Kelly are **DISMISSED without prejudice**. All pending motions in this case are **terminated**. A separate final judgment will issue.

The Clerk will provide a copy of this Order to the plaintiff.

SIGNED at Galveston, Texas, this 22nd day of March, 2018.


George C. Hanks Jr.
United States District Judge